

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Acts & Rules-The Factories Act, 1948 and Andhra Pradesh Factories Rules, 1950-
Amendment to certain rules-Preliminary Notification–Orders Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (Lab.II) DEPARTMENT

G.O.Ms.No. 56

Dated. 09.07.2009.

Read the following:-

1. G.O.Ms.No.43, Labour Employment Training & Factories (Lab.II) Department, dated 30.05.2001.
2. From the Director of Factories, Hyderabad, Lr.No.B2/5075/2005, dated 08.01.2009.

ORDER:

The following notification shall be published in the next edition of the Andhra Pradesh Gazette:

PRELIMINARY NOTIFICATION

The following draft amendment to the Andhra Pradesh Factory Rules, 1950 as amended in G.O.Ms.No.26 Labour Employment Training & Factories (Lab.II) Department, dated.07.06.1999 which is proposed to be made in exercise of the powers conferred by section 112 read with section 64 of the Factories Act, 1948 (Central Act No.63 of 1948) is hereby published for general information as required under sub-section (1) of section 115 of the Factories Act, 1948.

2. Notice is hereby given that the said draft rules will be taken into consideration by the Government on or after forty five (45) days from the date of publication in the Andhra Pradesh Gazette and that any objections or suggestions which may be received from any person with respect thereto within the aforesaid period will be considered by the Government of Andhra Pradesh.

3. The objections or suggestions if any should be addressed to the Principal Secretary to Government, Labour, Employment, Training and Factories (Lab.II) Department, Government of Andhra Pradesh through Director of Factories, Andhra Pradesh, Hyderabad.

AMENDMENT

In the said rules:-

1.For the existing Rule 81 the following shall be substituted, namely :-

Rule 81: Persons defined to hold positions of supervision or management and confidential positions

The following persons, by whatever designation called, are defined for the purposes of section 64(1) exempting them from the provisions of Chapter VI of the Act, namely:-

- (a) Managers and persons of managerial cadre, secretaries, administrative officers, accountants personnel officers
- (b) Engineers, Technologists, Chemists, Metallurgists.
- (c) Technical and Scientific Personnel engaged in design, research or development.
- (d) Stenographers, Personnel Clerks, Private Secretaries, Cashiers or Persons discharging similar functions

- (e) Any other Person declared by the Chief Inspector, upon an application by the occupier or manager, to be holding a position of supervision or management or confidential positions, provided that the person shall be deemed to have been so declared if the chief Inspector has not communicated a refusal to the applicant within thirty days of the application being sent.

2. For the existing Rule 84 the following shall be substituted, namely :

84. Exemption of Certain Adult Workers:

- (a) All adult workers engaged in the factories specified in Column(2) of the Schedule hereunder on the work specified in Column (3) shall be exempted from the provisions of sections specified in Column(4) subject to the special conditions, if any, specified in Column (5) thereof .
- (b) Except in the case of urgent repairs, the exemption shall be subject to the general conditions, namely:-
 - (i) The total number of hours of work in any day, shall not exceeds ten.
 - (ii) The spread over, inclusive of intervals for rest, shall not exceed twelve hours in any one day
 - (iii) The total number of hours of work in a week including over time, shall not exceed sixty.
 - (iv) The total number of hours of over-time shall not exceed fifty in any one quarter of a calendar year.
 - (v) The total number of hours of work without an interval does not exceed six.
 - (vi) In case of exemption from Section 55, sufficient time, though not a fixed period to the satisfaction of the Inspector shall be allowed to enable the workers to have their meals.
 - (vii) Exemption from Section 61 wherever specified, shall apply in so far as it relates to the specification of the periods of rest-interval in Form 11 of the Andhra Pradesh Factories Rules, 950.

3. For the existing schedule under rule 84 namely:-

The following schedule shall be substituted

SCHEDULE

- i. Manufacturing and or bottling of Liquefied Petroleum gas, Nitrogen, Hydrogen, Oxygen, Carbon dioxide, oxides of Nitrogen and Ammonia.
- ii. All the processes, involving usage of chlorine.
- iii. Manipulation (Mixing, blending, formulating, filling, emptying, packing or otherwise handing) of pesticides, insecticides, Fungicides and Herbicides as defined in the schedule XXIV, under rule 95 of Andhra Pradesh Factories Rules, 1950 framed under section 87 of the Factories Act, 1948.
- iv. Handling and processing of Asbestos, Manufacture of any article asbestos, or its ancillary products and any other process in which asbestos is used in any form.
- v. Manufacturing of Bulk Drugs and their Intermediates.

4. For Rule 84-A, the following shall be substituted namely :-

Rule 84-A-Savings : Nothing in these rules shall render any person liable to any punishment or penalty whatsoever, by reason of any thing done or omitted to be done by him contrary to the provisions of these rules between the 24th June,2004 and the date of publication of the rules in the Andhra Pradesh Gazette.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationery & Stores Purchase (Printing Wing),
Chanchalaguda, Hyderabad, (for publication in the next issue of official gazette and
with a request to supply 1000 copies of the gazette to the Commissioner of Labour,
Hyderabad).
The Director of Factories, Hyderabad.
The Director of Information & Public Relations, Hyderabad.
The P.S. Principal Secretary to Government, Labour Employment Training and
Factories Department.
The Secretary to Government, Law (B) Department,
The Secretary to Government of India, Ministry of Labour and Employment, New
Delhi.
The P.S. to Minister (Labour & Employment)

//FORWARDED :: BY ORDER//

SECTION OFFICER